

**REMARKS**

Claims 37-55 are added herein. Claims 1-55 are now pending in the application.

**Claims 1-13, 23-29 and 36 over Aether**

In the Office Action, claims 1-13, 23 and 36 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Aether Technologies publication "Enterprise Data Wireless Center" ("Aether Confidential Reference"). The Applicants respectfully traverse the rejection.

The undersigned has recently taken over the subject application. The undersigned doesn't fully understand the source and circumstances of the Aether Confidential Reference.

The Aether Confidential Reference is clearly marked "***not*** indeed for distribution outside of Aether" on page 6. The Aether Confidential Reference was not "published" for public disclosure and does not qualify as prior art under 35 U.S.C. § 102(b).

Because this rejection is not based on prior art, it cannot properly stand. The Applicants respectfully request the rejection of claims 1-13, 23-29 and 36 be withdrawn.

**Claims 14-22 and 30-35 over Aether in view of Archer**

In the Office Action, claims 14-22 and 30-35 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over the Aether Confidential Reference in view of U.S. Patent No. 6,683,870 to Archer ("Archer"). The Applicants respectfully traverse the rejection.

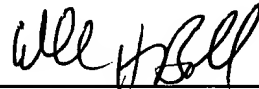
As discussed above, the Aether Confidential Reference does not qualify as prior art.

Since the rejection of claims 14-22 and 30-35 cannot stand on Archer alone, the Applicants respectfully request the rejection of claims 14-22 and 30-35 be withdrawn.

**Conclusion**

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,  
MANELLI DENISON & SELTER PLLC



---

William H. Bollman  
Reg. No.: 36,457  
Tel. (202) 261-1020  
Fax. (202) 887-0336

2000 M Street, N.W. 7<sup>th</sup> Floor  
Washington D.C. 20036-3307

WHB/df